

October 3, 2014

VIA OVERNIGHT MAIL

The Honorable Susan Illston
United States District Judge
Northern District of California
San Francisco Courthouse, Courtroom 10 – 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: In Re TFT-LCD (Flat Panel) Antitrust Litigation
Case No. 3:07-md-01827

Dear Judge Illston:

For the reasons enumerated in our previous letter to the Court regarding late claims, Class Action Refund (“CAR”) respectfully requests that this Court exercise its discretion and allow twelve (12) additional late claims totaling 44,151 panel equivalents that have been filed in the past week on behalf of our clients in the above-referenced case to be included in the planned distribution of the settlement funds.

These twelve additional claims should not be treated differently from the other late claims that were filed in this case, specifically those filed prior to the proposed June 6, 2014 cutoff for late claims and those filed subsequent to the proposed June 6, 2014 cutoff for late claims. There is no material difference between these eight claims and the thousands of other late claims that Class Counsel seeks to include in the distribution.

None of these claimants were aware of the settlement and their status as class members until having a conversation with our office. Once they became aware of the settlement and their right to participate as class members, they expeditiously provided all the information necessary to file a claim.

In the Direct Purchaser Settlement from the same case referenced above, this Court allowed two late claimants (Propellor, Inc., and DuPont) to participate in the settlement despite contacting Rust Consulting after the Court-imposed deadline for filing declarations supporting the payment of late and disputed claims, and after 80% of the settlement funds had already

been distributed. As such, the timing of these twelve additional claims should not be a factor in determining whether or not they should be allowed to participate in the distribution of the settlement funds.

Allowing these claims will not prejudice the Defendants or other class members and will not delay the distribution of the settlement funds. These claims were “late” because of lack of notice and as soon as the claimants had notice, they acted quickly and in good faith to get their claims filed.

For the reasons set forth above and the reasons set forth in our previous request, the Court should exercise this discretion and permit the late claims referenced herein to be included in the planned distribution of the settlement funds.

Respectfully Submitted,

Patrick D. Jermyn
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